

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON,)	
)	
Plaintiff,)	
)	
v.)	Case No. 19-cv-3488 (TFH)
)	
OFFICE OF MANAGEMENT AND BUDGET, et al.)	
)	
Defendant.)	
)	

**JOINT MOTION TO WAIVE REQUIREMENT TO FILE STATEMENT OF
UNDISPUTED MATERIAL FACTS**

Plaintiff Citizens for Responsibility and Ethics in Washington (CREW) and Defendants Office of Management and Budget (OMB), Department of Defense (DoD), and Department of State (State), respectfully move the Court to waive the parties’ obligation under Local Rule 7(h)(1) to file a Statement of Undisputed Material Facts (“Statement”) in support of their upcoming motions for summary judgment. The parties’ request is supported by good cause.

In a Freedom of Information Act (“FOIA”) action, the Court may award summary judgment based on the information provided in agency declarations that describe “the documents and the justifications for nondisclosure with reasonably specific detail,” and that “demonstrate that the information withheld logically falls within the claimed exemption.” *Military Audit Project v. Casey*, 656 F.2d 724, 738 (D.C. Cir. 1981). Because Defendants intend to file *Vaughn* indices and declarations in support of their search and withholdings in this case, a Statement would be duplicative of those filings. In light of this, other courts in this District have waived the requirement to file a Statement in FOIA cases. *See, e.g.*, Minute Order (Jan. 13, 2020), *N.Y. Times v. OMB*, No. 19-cv-3562 (D.D.C.). Accordingly, the parties respectfully request the Court to

waive the requirement to under Local Rule 7(h)(1) to file a Statement (and responses thereto) in this case.

Dated: October 29, 2020

Respectfully submitted,

/s/ Anne L. Weismann
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